

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER KENNETH DREFS,) No. 08 PB 2680
STAR No. 11480, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No.312155)

FINDINGS

On May 8, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Kenneth Drefs, Star No. 11480 (hereinafter sometimes referred to as "Respondent"), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 15: Intoxication on or off duty.
- Rule 20: Failure to submit immediately a written report that any member, include self, is under investigation by any law enforcement agency other than the Chicago Police Department.

The Police Board caused a hearing on these charges against Police Officer Kenneth Drefs to be had before Michael G. Berland, Hearing Officer of the Police Board, on April 7, May 11, and June 19, 2009.

Following the hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of the witnesses. Michael G. Berland, Hearing Officer, made an oral report to and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its hearing of the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.

2. The charges were filed in writing and a Notice, stating the time, date, and place, when and where a hearing of the charges was to be held, together with a copy of the original charges, were served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. The Respondent appeared throughout the hearing and was represented by legal counsel.

4. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance,
in that:

Count I: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he drove and/or was in actual physical control of a motor vehicle while under the influence of alcohol, in violation of 625 ILCS 5/11-501(a)(2).

5. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **not guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance,
in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while driving a motor vehicle while off duty, the Respondent failed to signal at the time required when making a turn, in violation of 625 ILCS 5/11-804.

6. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,
in that:

Count I: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he drove a motor vehicle while under the influence of alcohol, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count III: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he was arrested by the Boone County Sheriff's Department but failed to submit a To-From-Subject report to his unit commanding officer, in disobedience of General Order 93-03, Addendum 5B, Section IV, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count IV: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he was intoxicated,

thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

7. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while driving a motor vehicle while off duty, the Respondent failed to signal at the time required when making a turn, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

8. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that:

On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he was arrested by the Boone County Sheriff's Department but failed to submit a To-From-Subject report to his unit commanding officer, in violation of General Order 93-03, Addendum 5B, Section IV.

9. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **guilty** of violating, to wit:

Rule 15: Intoxication on or off duty,

in that:

On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he was intoxicated.

10. The Respondent, Police Officer Kenneth Drefs, Star No. 11480, charged herein, is **guilty** of violating, to wit:

Rule 20: Failure to submit immediately a written report that any member, include self, is under investigation by any law enforcement agency other than the Chicago Police Department,

in that:

On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, while off duty, he was arrested by the Boone County Sheriff's Department but failed to submit immediately a written report to the Chicago Police Department.

11. After making its findings of fact and guilt, the Police Board considered the Respondent's complimentary and disciplinary histories (attached hereto as Exhibit A). The Respondent's disciplinary history includes a previous sustained complaint for driving under the influence while off duty, for which the Respondent was ordered suspended for thirty days.

By reason of the findings of fact and guilt set forth herein, and by reason of the Respondent's disciplinary history, cause exists for the discharge of the Respondent, Police Officer Kenneth Drefs, Star No. 11480, from his position as a police

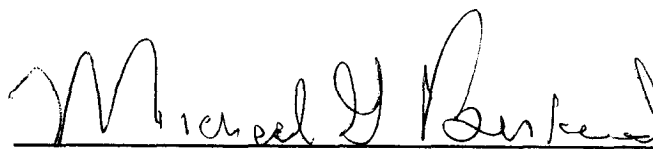
Police Board Case No. 08 PB 2680

Police Officer Kenneth Drefs

Page 6

officer with the Department of Police, and from the services of
the City of Chicago.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael G. Berland", written over a horizontal line.

MICHAEL G. BERLAND

Hearing Officer

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Michael G. Berland, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer Kenneth Drefs, Star No. 11480, as a result of having been found **guilty** of charges in Police Board Case No. 08 PB 2680, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
16th DAY OF JULY, 2009.

Demetrius C. Carr
Spite Gonzales
Phong L. Miller
William F. Kung
Scott J. Davis

Attested by:

Max A. Caproni

Executive Director
Police Board

DISSENT

The following members of the Police Board hereby dissent
from the decision of the majority of the Board.

Patricia C. Hall
[Signature]

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS _____ DAY OF _____, 2009.

SUPERINTENDENT OF POLICE

Police Board Case No. 08 PB 2680
Police Officer Kenneth Drefs
Page 8A

DISSENT

The following members of the Police Board hereby dissent
from the decision of the majority of the Board.

Patricia C. Zell
[Signature]
[Signature]

MK

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

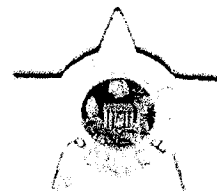
THIS _____ DAY OF _____, 2009.

SUPERINTENDENT OF POLICE

Report Date: 02 Aug 2007
Report Time: 1632 Hrs

Chicago Police Department

Personnel Division



Information Services Division
Data Warehouse
Produced by: PC01338

Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
DREPS JR, KENNETH R	9161	11480	008	376	28852

Achievements

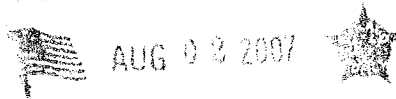
Total No.

COMPLIMENTARY LETTER
HONORABLE MENTION

3

34

PERSONNEL SERVICES



AUG 03 2007

CHICAGO POLICE DEPARTMENT



CR# 312155

Harry BFE1025
Ex 1

CR# 312155
ATTACHMENT 32

NOTE: THIS REPORT IS FOR OFFICIAL LAW
ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE
DATE AND TIME OF THE REPORT. THIS



Chicago Police Department

CLEAR

Citizen & Law Enforcement Analysis & Reporting
System

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

27 JULY 2007

TO: COMMANDING OFFICER OF UNIT GIS

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

<u>DREFS</u>	<u>KENNETH</u>	<u>11480</u>	<u>376</u>
NAME	(LAST, FIRST, M.I.)	STAR	UNIT

<u>M</u>	<u>WHI</u>	<u>28852</u>
SEX	RACE	EMP.#

REFERENCE: COMPLAINT REGISTER NUMBER (S) 312 155

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

<u>SGT.</u>	<u>R. MARTIN</u>	<u>1193</u>	<u>37052</u>	<u>121G</u>
RANK	NAME	STAR	EMP#	UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCE COMPLAINT REGISTER NUMBER.

THE RECORD SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION (S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

FOR: S.D.E.O. Patricia JOHNSON
COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

See Att'd CR History
See Att'd SPAR History

312 155
33

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

27-JUL-2007 07:29:01 AM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
██████████	DREFS JR KENNETH R.	11480	28852	9161	POLICE OFFICER	376

<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>
M	WHITE	23-OCT-1969	02-MAY-1994	1	0

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
C 308921	04-OCT-2005		30 DAY SUSPENSION	02D-D.U.I. - OFF DUTY	

Civil Suit #Comments



Chicago Police Department

Internal Affairs Division



SPAR HISTORY REPORT (Sustained Findings)

Employee#	Name	Star#	Unit	Position	Sex	Race	Birth Date	Date of Appointment
28852	DREPS JR, KENNETH R	11480	008/376	POLICE OFFICER	M	WHITE	23-OCT-1969	02-MAY-1994

History : Total No. SPAR's: 1

Log #	Incident Date	Completed Date	Disciplinary Action	Transgression Type	Suspension Dates
507630	12-JAN-2007	16-JAN-2007	REPRIMAND	006A - UNIFORM VIOLATION - GENERAL ORDER	

For Official Police Purposes Only! This information is confidential and should not be disseminated for reasons other than its intended purpose.

CLEAR, Personnel Suite: Automated SPAR Application Print Date and Time: 27-JUL-2007 07:33:03 Printed By : PC01671

1 of 1

CR 4 312155
ATTACHMENT 33

ISSUED FOR THE USE IN CR 312155

08-2680

CHARGES

Police Officer Kenneth Drefs, Star Number 11480, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the dates of the alleged violations.

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 15: Intoxication on or off duty.
- Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.

SPECIFICATIONS

1. Police Officer Kenneth Drefs, Star Number 11480, is charged with violating Rule 1, "Violation of any law or ordinance," in one or more of the following instances:
 - Count I: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, drove and/or was in actual physical control of a motor vehicle, while under the influence of alcohol, in violation of 625 ILCS 5/11-501(a) (2).
 - Count II: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while driving a motor vehicle off-duty, failed to signal at the time required when making a turn, in violation of 625 ILCS 5/11-804.
2. Police Officer Kenneth Drefs, Star Number 11480, is charged with violating Rule 2, "Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department," in one or more of the following instances:
 - Count I: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, drove a motor vehicle while under the influence of alcohol, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count II: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while driving a motor vehicle off-duty, failed to signal at the time required when making a turn, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count III: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, was arrested by the Boone County Sheriff's Department, but failed to submit a To-From-Subject report to his unit commanding officer, in disobedience of General Order 93-3, Addendum 5B-IV, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count IV: On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, was intoxicated, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

3. Police Officer Kenneth Drefs, Star Number 11480, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in the following instance:

On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, was arrested by the Boone County Sheriff's Department, but failed to submit a To-From-Subject report to his unit commanding officer, in violation of General Order 93-3, Addendum 5B-IV.

4. Police Officer Kenneth Drefs, Star Number 11480, is charged with violating Rule 15, "Intoxication on or off duty," in the following instance:

On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, was intoxicated.

5. Police Officer Kenneth Drefs, Star Number 11480, is charged with violating Rule 20 "Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department," in the following instance:

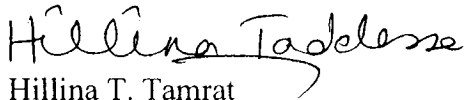
On or about February 12, 2006, at approximately 10:28 p.m., at or near Lake Dawson and Caledonia Roads, in Caledonia, Illinois, Officer Drefs, while off-duty, was arrested by the Boone County Sheriff's Department, but failed to immediately submit a written report to the Chicago Police Department.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Kenneth Drefs, Star Number 11480, be discharged from the Chicago Police Department.



JODY P. WEIS
Superintendent of Police

APPROVED AS TO FORM



Hillina T. Tamrat
Senior Counsel

P. B. CASE # FILED

08 - 2680 MAY 08 2008

CHICAGO POLICE BOARD